

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 28, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-33552 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ETTORE AND BRENDA VANCHERI - Request for a Special Use Permit FOR THE KEEPING OF 300 CARRIER OR RACING PIGEONS at 6500 West Ann Road (APN 125-26-403-016), R-E (Residence Estates) Zone, Ward 6 (Ross)

C.C.: 07/01/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

30

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Final Agenda – Protest/Support Postcards

Motion made by KEEN ELLSWORTH to Approve subject to conditions, amending Condition 1 and the following added condition as read for the record:

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for the Keeping of Carrier or Racing Pigeons use.

A. Approval is subject to a one-year review at a Public Hearing at Planning Commission.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE, BYRON GOYNES, KEEN ELLSWORTH; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL)

NOTE: A voice vote was taken due to technical difficulties.

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Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated that the applicant has constructed a 1,360 square-foot aviary in order to house 300 carrier racing pigeons. Staff's recommendation for denial is due to the close proximity to the newly constructed residential subdivisions. The use will not be compatible and harmonious with the residential homes, if approved, MR. RANKIN recommended an amendment to Condition 1.

BRENDA and ETTORE VANCHERI, 6500 West Ann Road, stated that the main misconception is people believe the pigeons will fly around the neighborhoods, land on roofs or backyards leaving a mess. She explained how the birds are kept and trained while showing photos depicting the housing of the birds. The birds are not allowed to fly around the neighborhood. Ninety percent of the birds' life is inside the loft in a controlled situation. She indicated that she got support from residents who reside directly behind their property.

MRS. VANCHERI indicated that the race season starts March to November with July and August off due to the heat. At the end of November, a nationwide auction is held, which is done by the City of Hope, 15 percent of the proceeds are donated to this charity.

TODD FARLOW, 240 North 19th Street, verified that these birds did not come from the aviary that recently closed.

WILL FONTE, 5611 Donald Road, JEFF EARTHMAN, 1501 Rawhide Drive and DAVID WOOTEN, 829 Clarkway Drive, all appeared in support. MR. FONTE stated that he owns approximately 25 racing pigeons. He acknowledged the misconception about racing pigeons but echoed MRS. VANCHERI'S comments and added that the birds are flown in from all over the United States, including Canada and England. MRS. VANCHERI added that some birds cost \$500 to \$5,000. These are pedigree birds that have identification and electronic monitors. MR. EARTHMAN vouched for the VANCHERI'S reputation. MR. WOOTEN believed that a positive precedent would be set, as he has spearheaded this unique sport in the late 1980s.

GREG KOZLOWICZ, 6519 Lokia, appeared in opposition because 300 birds will be noisy, create continuous waste, odor, attract flies and other pigeons.

The Commission admitted their lack of education on racing pigeons, but they recognized the residents' concern with odors, flies, waste and noise. MRS. VANCHERI replied that the birds are not noisy and coo at a noise level far lower than a nearby barking dog and are quiet at night. Breeders maintain a clean environment for their birds. Special flooring prevents birds from standing in their own droppings. They rarely defecate when flying because they fly on an empty stomach, thus promoting a great incentive to fly home. A fly misting system hooked up in the horses stall and along the side of the pigeon loft will keep flies away. The waste is put into a dumpster and picked up daily. Approximately \$4,000 to \$6,000 a year is spent on pigeon health

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maintenance. The loft was built to Code with appropriate permits and with ventilation. There is no smell and no noise. Horses attract more flies than the pigeons.

COMMISSIONER EVANS verified that currently the VANCHERIS have approximately 50 birds and asked if the birds attract wild pigeons and/or mate with them. MRS. VANCHERI replied that wild birds do not associate with the pedigree birds. MR. VANCHERI added that when a racing pigeon gets close to a wild pigeon, a racing pigeon will actually attack it. The Commissioner verified that the adjacent residents do not oppose the request. MRS. VANCHERI indicated she would be happy to speak with MR. KOZLOWICZ regarding his concerns.

CHAIR TROWBRIDGE asked if Animal Control gets involved with the inspection and licensing of this activity. MR. VANCHERI replied that Animal Control visited his property and was amazed at how well the property is maintained.

CHAIR TROWBRIDGE acknowledged that the applicant has done an excellent job of informing the Commission; however, 32 protests from adjacent residents is a considerable amount. MRS. VANCHERI replied she was only aware of 10 protests. MARGO WHEELER, Director of Planning and Development, clarified that 24 late protests were received, in addition to the eight received after publication.

COMMISSIONER EVANS questioned if 300 birds on 1.35 acres is excessive and could some discretion be provided in the Code. He wondered whether the applicant would agree to fewer birds and a review period, if approved. MR. RANKIN clarified that a special use permit is required for any racing pigeon per Title 7 and Title 19. The maximum amount permitted is 300 birds.

COMMISSIONER GOYNES expressed concern about how pigeons react to aircrafts and the close proximity of homes. Staff's findings stated that the applicant's site itself is physically suitable for the type of intensity of the land use; however, the lot width is only 100 feet which does not fully isolate the use from adjacent properties. The approval of the special use permit will compromise the public health, safety and welfare of the surrounding area. MRS. VANCHERI explained a liberator will haul the birds 300 miles north early in the morning as soon as the sun comes up. They will not come back all at once but over a period of three to five hours. Once they come back, they fly straight into the loft because they are hungry.

MR. FONTE referred to the aircraft issue and explained that when birds travel for a long distance, they travel five to six feet off the ground. When they get into a town, they fly treetop level or telephone pole level. When he ran the Las Vegas Derby, the Department of Aviation recommended that they be 10,000 feet from an airport. He is aware that MR. VANCHERI is 18,000 feet from the North Las Vegas Airport.

COMMISSIONER QUINN verified that People for the Ethical Treatment of Animals (PETA) did not get involved or tried to stop the applicants from this venture. The Commissioner asked

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that the applicants go the neighborhood schools and bring small groups of children on their property to teach about racing birds.

COMMISSIONER ELLSWORTH agreed with COMMISSIONER EVANS regarding a one-year review to reevaluate the use.

CHAIR TROWBRIDGE declared the Public Hearing closed.

A recess was taken from 7:52 p.m. to 8:11 p.m.

